



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

OCT 17 2000

DOT-E 10880
(FOURTH REVISION)

EXPIRATION DATE: January 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109.)

1. GRANTEE: Austin Powder Company
Cleveland, Ohio

(See Appendix A to this exemption for a list of additional grantees)

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the use of reusable, flexible Intermediate Bulk Containers (FIBC) type UN 13H3 or UN 13H4 conforming to Subpart N and O of Part 178 with replaceable liners and top and bottom outlets, for the transportation in commerce of ammonium nitrate-fuel oil mixture (ANFO), subject to the limitations and special requirements specified herein. This exemption provides no relief from any regulation other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Hazardous Materials Table, Column (8C) and § 173.35(b).
5. BASIS: This exemption is based on the Austin Powder Company application dated September April 17, 2000, submitted in accordance with § 107.109.

OCT 17 2000

Continuation of DOT-E 10880 (4th Rev.)

Page 2

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Ammonium nitrate-fuel oil mixture containing only prilled ammonium nitrate and fuel oil.	1.5D	NA0331	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are UN standard 13H3 or 13H4 collapsible, flexible, polypropylene bulk bag containers with a non-reusable liner. The bag is fabricated of woven polypropylene, incorporating four lifting straps, a disposable interior liner, and having a total bag capacity not exceeding 1000 kg. Replacement interior liners used for each reused FIBC must be identical to those liners used in the design qualification testing in paragraph 7.b. Each bag, prepared as for shipment, must be capable of satisfactorily withstanding the design type tests specified in paragraph 7.b. Test results are on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

b. TESTING - As a minimum, the following test procedures must be performed:

Top lift test; Tear test; Stacking test; Drop test; Topple test; Righting test; - at least one bag must pass these tests (one bag may be used for all tests or one bag for each test) at the packing group II level as described in Subpart O Part 178.

c. MARKING - In addition to the marking requirements for FIBCs as found in Subpart N of Part 178, each bag must be permanently and durably marked in accordance with the requirements of § 172.331 in letters at least two inches high on a contrasting background:

DOT-E 10880
REUSABLE

The use of labels, tags or signs for marking purposes is prohibited.

OCT 17 2000

d. REUSE - No FIBC marked with the exemption number in paragraph 7.c. above may be used more than six (6) times. No FIBC may be reused more than a year after the date of the first shipment in that FIBC. Further, no reused FIBC may be filled with a hazardous material until an unused liner has replaced the previously used liner. Total number of uses for each bag must be recorded. When FIBCs have been used for 3 shipments, a sample of at least 3 FIBCs per lot of 50 must be tested according to the full requirements of the standard in paragraph 7.b above. Upon completion of 6 shipments, another sample of at least 3 FIBCs per lot of 50 must be tested as above. Records must be kept in accordance with paragraph 7.f.

e. INSPECTION - Before reuse, each bag must pass an inspection which includes, as a minimum, the following items:

- (1) The bags used more than once must be in such conditions, including closure devices, that they conform in all respects to the prescribed requirements of this exemption and to § 173.24, as applicable.
- (2) The polyethylene liner must be replaced with a new liner prior to reuse.
- (3) Bags may only be reused to transport the same hazardous material, or a fully compatible similar hazardous material of the same hazard class, as was present in the bag during its first use in hazardous materials transport.
- (4) Prior to filling for reuse, each bag must be inspected and judged suitable for reuse. Only bags with no wear or flaws may be reused. The inspection must be of all sides, top and bottom, and all lifting straps and attachments, and must include as a minimum, the following:
 - (i) General Appearance -- must be free of holes, abrasions, and tears, regardless of size.
 - (ii) Lifting straps
 - Must be free of cuts and abrasions.
 - Torn stitching may not exceed 1 inch of the total length of sewing/strap attachment to the FIBC.

OCT 17 2000

NOTE: Possible defect may be indicated by the strap first beginning to peel away from the body at the top of the FIBC.

- (iii) Seams -- clawing/zippering of stitching may not exceed 1/4".

NOTE: Maximum stress causing stitching to "open up," also referred to as clawing and/or zippering, is approximately 1/3 of the way up the seam from the bottom of the FIBC.

- (iv) Markings -- All markings must be legible.
- (v) Fill/Discharge Spouts -- must be free of tears, with cordlocks intact.
- (vi) UV Damage -- Ultraviolet ray damage is indicated by the woven polypropylene becoming stiff and/or cracking. The FIBC must be rejected for reuse if the fabric of the FIBC appears to be less flexible than new fabric or if the FIBC fabric shows signs of cracking.

f. RECORDKEEPING - Total number of uses of each bag and dates of shipments must be logged and recorded. A bag rejected by the reuse inspection must have reason for rejection and person performing inspection recorded. All results of tests performed on reused bags must be recorded. After the first year of transport experience and data is established and recorded, an annual summary of results including reused bag test reports and rejection reports must be sent to OHMEA.

g. SEGREGATION - FIBCs covered under this exemption must be transported by private carriers and in dedicated loads. No other hazardous material container may be shipped with the reusable FIBCs except non-bulk UN certified bags authorized to contain the hazardous material described in paragraph 6.

h. FIBCs must be loaded and unloaded on pallets and not by lifting loops at the top of each FIBC. No intermediate loading or unloading of FIBCs is allowed. Only shipments from origin to destination are allowed.

OCT 17 2000

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or change are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

b. Shipments must be in closed vehicles or freight containers.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous transportation law, 49 U.S.C. 5101 et seq.:

o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving fire, explosion or loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

OCT 17 2000

Continuation of DOT-E 10880 (4th Rev.)

Page 6

In addition, the holder(s) of this exemption must also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued in Washington, D.C.



RL
Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

OCT 17 2000

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, SW, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: AM/sln

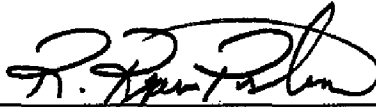
OCT 17 2000

Continuation of DOT-E 10880 (4th Rev.) APPENDIX A

Page 7

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Applica- tion Date	Issue Date	Expiration Date
Alaska Pacific Power Olympia, WA	Apr 3, 2000	May 25, 2000	Jan 31, 2002
Orica USA, Inc. Englewood, CO	May 24, 2000	Jun 16, 2000	Jan 31, 2002
American West Explosives Inc. Plymouth, CA	May 11, 2000	May 25, 2000	Jan 31, 2002
R&R Trucking, Inc. Duenweg, MO	May 22, 2000	Jun 16, 2000	Jan 31, 2002
Joplin Manufacturing Inc. (Former Grantee: ICI Explosives USA Inc.) Joplin, MO	May 24, 2000	Jun 16, 2000	Jan 31, 2002
Buckley Powder, Co. Englewood, CO	Jul 21, 2000 & Aug 10, 2000	OCT 17 2000	Jan 21, 2002
Hilltop Energy, Inc. Mineral City, OH	Aug 16, 2000 & Sep 14, 2000	OCT 17 2000	Jan 31, 2002


Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety